

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

CAROLINA MARIA KARAKLA,

Plaintiff,

vs.

CIV 21-0030 KBM

KILOLO KIJAKAZI,  
Acting Commissioner of  
Social Security,

Defendant.

**ORDER GRANTING DEFENDANT'S UNOPPOSED MOTION  
TO REMAND FOR FURTHER ADMINISTRATIVE PROCEEDINGS**

Defendant, the Acting Commissioner of Social Security (Commissioner), by and through her counsel, has filed an unopposed motion with this Court, pursuant to sentence four of 42 U.S.C. § 405(g), to enter a judgment with an order of reversal with remand of the case to the Commissioner for further administrative proceedings (*Doc. 27*).

Plaintiff does not oppose the requested relief. *Id.* To remand under sentence four of 42 U.S.C. § 405(g), however, the Court must review the record and determine whether the ALJ's decision is supported by substantial evidence, or whether the ALJ correctly applied the law relevant to the disability claim. *Nguyen v. Shalala*, 43 F.3d 1400, 1403 (10th Cir. 1994). If not, reversal is appropriate. *Id.*

Having reviewed the record in light of the issues raised in Plaintiff's Motion to Remand, the Court finds that the ALJ's decision is not supported by substantial

evidence and that the ALJ did not apply the correct legal standards in determining that Plaintiff is not disabled.

Therefore, pursuant to the power of this Court to enter a judgment reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), this Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a remand to the Commissioner for further administrative proceedings. *See Shalala v. Schaefer*, 509 U.S. 292 (1993).

Dated: December 28, 2021.

  
\_\_\_\_\_  
HONORABLE KAREN B. MOLZEN  
UNITED STATES MAGISTRATE JUDGE  
Presiding by Consent